

LANGUAGE ACCESS PLAN

Executive Office of Labor and Workforce Development

Department of Unemployment Assistance (DUA)

Department of Career Services (DCS)

Department of Industrial Accidents (DIA)

Department of Labor Standards (DLS)

Department of Labor Relations (DLR)

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LANGUAGE ACCESS PLAN (LAP)

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Introduction

The Office of Multilingual Services at the Executive Office of Labor and Workforce Development (EOLWD) has developed and prepared this Language Access Plan (LAP) outlining the efforts taken so far to provide language services to Limited English Proficient (LEP) customers by EOLWD and its Departments: the Department of Unemployment Assistance (DUA), the Department of Career Services (DCS), the Department of Industrial Accidents (DIA) and the Department of Labor Standards (DLS). The Department of Labor Relations (DLR) works with employers and bargaining units and has thus far presented no need for interpretation and/or translation services.

This Plan also defines the actions EOLWD and its Departments, including its statewide network of One-Stop Career Centers, are taking to ensure meaningful access to programs, services, and activities for all LEP clients.

The Office of Multilingual Services developed our Agency's LAP to adhere to the Language Access Guidelines established by Executive Order 526 (superseding Executive Order 478), as promulgated by the Executive Office for Administration and Finance (ANF).

The Office of Multilingual Services will review and update this LAP biennially or as needed to ensure continued responsiveness to community needs as well as compliance with Title VI.

I. Background

This LAP is established pursuant to and in accordance with the Federal Executive Order 13166, and State Executive Order 526 "Improving Access to Services for Persons with Limited English Proficiency."

Executive Order 526 requires state agencies to develop and implement a plan to provide services to persons with Limited English Proficiency, ensuring meaningful access to the Departments' programs, services and activities.

In addition to Executive Order 13166 and Executive Order 526, the Department of Justice issued a Policy Guidance Document entitled "**Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency**" (hereinafter referred to as "DOJ LEP Guidance") reprinted at 65 FR 50123 (August 16, 2000). The DOJ LEP Guidance advises each Federal Agency on the steps agencies should take to ensure "meaningful" access by LEP individuals to the information and services the Agency provides. Federal and State agencies have an obligation, when reasonably possible, to reduce language barriers that can preclude meaningful access by LEP persons to important government services.

II. Purpose

The purpose of this plan is to ensure DUA, DCS, DIA, DLS customers meaningful access to services, programs and activities, for all LEP customers.

EOLWD Departments are committed to making services available to LEP persons as part of its mission "to ensure equal access to all Agency programs, services, and activities." Based on this commitment, EOLWD and its Departments make every attempt to assist LEP customers in accessing our programs and services. We serve a diverse population of various ages and linguistic origins.

A Limited English Proficient (LEP) person is someone who cannot speak, read, write, or understand the English language at a level that allows him/her to interact effectively with Agency staff. A client maintains the right to self-identify as LEP.

This LAP does not create new services; rather it strives to eliminate barriers for LEP customers accessing existent Agency services. Our EOLWD Departments will provide quality language assistance to LEP customers in a fair and timely manner, ensuring meaningful access to Agency programs, services, and activities.

The objectives of these Language Access Guidelines are to:

- a. Improve access to and the quality of state services, programs and activities for LEP persons;
- b. Reduce any disparities and delays in the provision of state and federal services/programs to eligible LEP speakers;
- c. Increase Agency effectiveness and public satisfaction.

III. Policy

It is EOLWD policy to provide meaningful universal access to programs and services to persons who are limited in English proficiency.

IV. Applicability

This directive applies to the Executive Office of Labor and Workforce Development (EOLWD) and its Departments: DUA, DCS, DIA, DLS.

VI. Role

1. DEPARTMENT OF UNEMPLOYMENT ASSISTANCE (DUA)

The Department of Unemployment Assistance (DUA) administers the Unemployment Insurance (UI) program, providing temporary assistance to unemployed Massachusetts workers. There is a network of UI Walk-In Centers throughout the Commonwealth.

2. DEPARTMENT OF CAREER SERVICES (DCS)

The Department of Career Services (DCS) oversees the Commonwealth's network of One-Stop Career Centers* (see Listing on page 17 of this document) that assist businesses in finding qualified workers and provide job seekers with career guidance as well as job and training referrals.

3. DEPARTMENT OF INDUSTRIAL ACCIDENTS (DIA)

The Department of Industrial Accidents (DIA) oversees the Workers' Compensation system in Massachusetts, which helps Massachusetts injured workers, employers, insurers, and/or attorneys.

4. DEPARTMENT OF LABOR STANDARDS (DLS)

The Massachusetts Department of Labor Standards promotes and protects workers' safety and health, wages and working conditions, and supports employers and workers in utilizing apprenticeships as a workforce development tool.

VII. Language Access Plan:

*Since the *One-Stop Career Centers* throughout the Commonwealth provide a range of services reliant on state, city and private entities with varying resources, responsibilities, and staff capacities, the Agency does not attempt to create a detailed, “one-size fits all” LAP. Instead, the Agency LAP Guidance provided in the **Appendix** of this document is intended to direct One-Stop Career Centers to create their own LAP and to provide assistance with the creation of such LAPs. The Office of Multilingual Services will continue providing translation and interpretation services as well as technical assistance to One-Stop Career Centers carrying out DUA and DCS programs, in compliance with LAP requirements. As necessary, the Agency will issue new guidance and/or regulations relating to its programs to ensure effective LAP implementation.

Approach: The Agency Language Access Plan (LAP) shall be fully implemented, provided the availability of requisite fiscal resources, to implement said LAP. The LAP has been developed to adhere to the Language Access Guidelines of ANF Administrative Bulletin #16. This Language Access Plan represents the Agency’s administrative blueprint to provide meaningful access to EOLWD agencies programs and activities for LEP individuals. This LAP outlines the efforts that EOLWD and its Departments have made and will continue to make to fully meet this objective.

1) Language Access Coordinator:

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2) Language Resources

A. Office of Multilingual Services

For over two decades, the Office of Multilingual Services within the Executive Office of Labor and Workforce Development has been committed to improving access to services for eligible LEP customers. The Office of Multilingual Services has developed and implemented language assistance guidelines and instructions based on customer needs, legal requirements, and what is important to LEP customers. These guidelines and protocols were established so that our Agency staff could provide LEP customers equal, meaningful and universal access to participate in Agency’s programs, services, and activities.

The Office of Multilingual Services strives to provide language expertise, support and guidance to Agency staff to ensure that all LEP customers obtain meaningful access to Agency programs, services, and activities. Multilingual Services addresses all LEP-related issues and assists UI advocates, attorneys, and Community-Based Organizations (CBOs) in serving LEP communities.

The Office of Multilingual Services renders a unique and vital array of services across EOLWD agencies that upholds the Commonwealth’s philosophy of universal, meaningful and equal access for LEP customers who otherwise face the potential privation of due process, essential services and dignity entitled without barriers to all customers.

In May 2010, EOLWD created a **Multilingual Unit** within the Office of Multilingual Services. This Unit consists of three Multilingual Specialists under the Director of Multilingual Services. The Unit facilitates LEP claimants' access to the claims system via proper initial language preference coding, correcting erroneous coding, enabling LEP claimants' communication with claims agents and adjudicators, and assisting LEP claimants in understanding UI requirements and notices. The Multilingual Unit created and currently operates a 12 language Toll-free telephone line which LEP claimants (who speak one of the 12 statutory languages) can call should they have any issues or concerns about any matter pertaining to any of EOLWD Agencies: DUA, DCS, DIA, DLS. This toll-free number is printed on several DUA notices, including the disqualification notices, which are translated into the 12 statutory languages: Spanish, Portuguese, Chinese, Russian, Lao, Haitian Creole, Vietnamese, Khmer, Italian, Korean, French and Arabic. The Multilingual toll-free number is also printed on Career Center Seminar (CCS) and Reemployment Eligibility Assessment Program (REA) letters sent to claimants. Claimants whose primary language is one of the 12 statutory languages are receiving these letters in their primary language. They can call the Multilingual toll-free number should they need further clarification or if they need assistance scheduling a CCS seminar or a REA meeting

The Multilingual Staff interprets adjudication/fact-finding, customer service interactions, job seekers' inquiries, and any other matter related to EOLWD services, program and activities. The Office of Multilingual Services manage the translation of documents and materials into the 12 languages for DUA, DCS, DLS and DIA agencies. Instructions and guidelines on how to utilize the Multilingual Specialists have been sent to DUA Call Centers, DUA walk-in Center , DLS, DIA and Career Center Staff.

The Multilingual Staff also answers and addresses the questions and concerns of LEP claimants who call in on the toll-free telephone line as well as interpret documents for the claimants or job seekers.

The Multilingual Unit possesses a vast array of international and multicultural knowledge, including collective fluency in twelve languages, resulting in excellent communication with the LEP community.

The Multilingual Unit has expanded their services assisting Career Center staff, DIA and DLS staff in providing interpretation and translation services to its customers. Language Access presentations have been made by the Director of Multilingual Services to DUA, Career Centers, DIA and DLS staff on how to best utilize language services. Refresher trainings are provided on a regular basis to Agency staff.

Multilingual Services created a 9 language Toll-free line for the Department of Industrial Accidents which allow constituents to call about Job Orders or any other worker's compensation questions in their primary language.

Multilingual staff assist the Department of Labor Standards in providing interpretation and translation services to groups of LEP workers at worksites to ensure compliance with OSHA standards, via using and clarifying the appropriate specialized terminology and field-specific nuances.

Multilingual Services Unit Staff assist DUA Hearings and Board of Review by interpreting and translating material evidence and testimony so that both departments might conduct their proceedings opportunely. This way, the agency can fulfill its orders of business in a timely manner, without incurring costly delays, nor putting undue hardship and strenuous conditions on the Limited English Proficiency customers, impacting the Universal Access to our Agency programs, services and activities. Multilingual Services is the sole authority fulfilling all legal requirements enacted and exacted by UI Online Amendment 7, ensuring EOLWD provides equal, meaningful and universal access to LEP customers.

How to Say, “One Moment Please” in Eighteen Common Languages

Language:	Written in Language	Phonetic Pronunciation
Albanian:	Nje minutë ju lutem.	nee-yeh mee-noo-teh you loo-tem
Arabic:	دقيقة من فضلك	dakika meen fahdlock (masculine) dakika meen fahdlick (feminine)
Chinese:	请稍候	ching show hoe
French:	Un moment s'il vous plaît.	uhn moe-mon seal-voo-play
German:	Einen Moment bitte.	eye-nen moment bee-teh
Gujarati:	મેહરબાની કરીને એક પલ થોભશો.	meherbani kariné ek pul thobso
Haitian Creole:	Tanpri tann yon ti moman.	tan-pree tan yaw tee moe-maw
Hindi:	कृपया एक पल प्रतीक्षा करें	kreepya ek pal prateeksha karen
Italian:	Un momento per favore.	oon moe-mento pair fah-vore-ay
Japanese:	少々お待ちください。	shosho omachi kudasai
Korean:	잠깐 기다리세요	jam-kan ki-da-ri-se-yo
Polish:	Moment, proszę.	moment prosheh
Portuguese:	Um momento, por favor.	um moe-mento, poor fah-vor
Russian:	Подождите, пожалуйста.	padazhdite, pazhalusta
Spanish:	Un momento por favor.	oon moe-mento poor fah-vor
Swahili:	Subiri kidogo	soo-bee-re key-dough-go
Tamil:	தயவு செய்து ஒரு நிமிடம்	dye-ya-vu seydu oru nimi-dom
Vietnamese:	Xin chờ một chút	sin char moe-chew

C. Identification of Existing Bilingual Staff

This list identifies the languages spoken by DUA and DCS staff members who are linguistically, culturally, and technically able to deliver services in a language other than English and/or to serve as interpreters. The list is organized alphabetically by language and on the actual site, each language hyperlinks to the contact information for the corresponding staff.

DIA has a similar list posted on our intranet site.

The staff has agreed to volunteer to interpret for Limited English Proficiency (LEP) customers.

This List is updated on a regular basis and posted on the EOLWD Intranet.

<http://intranet.detma.org/multilingual/> <http://intranet.elw.state.ma.us/multilingual>

Albanian	Greek	Korean
Arabic	Gujarati	Lao
Armenian	Haitian	Mandarin
Bengali	Haka	Portuguese
Burmese	Hindi	Punjabi
Cape Verdean	Husa	Russian
Cantonese	Ibo	Spanish
Czech	Italian	Urdu
French	Khmer	Vietnamese

3) Language Service Protocols

A. How Staff Can Obtain Interpreter Assistance

Interpretation is the immediate oral rendering of the source language into the target language.

The **Multilingual Services page on the EOLWD Intranet** provides complete guidelines, information, and instructions for staff: <http://intranet.detma.org/multilingual>

The guidelines refer staff to:

1. **Multilingual Unit Specialists** who fluently speak, read and write in Spanish, Portuguese, Cantonese, Mandarin, Vietnamese, Cape Verdean, Arabic, German and French.
<http://intranet/CO/SitePages/Multilingual%20Services.aspx>
2. **Over-the-Phone Language Service providing over 170 languages.** Step by step instruction on how to use the language line is available to staff. The quality of the over-the-phone language service is monitored through “**Reports of Usage**” e-forms completed by DUA, DCS, DIA and DLS staff and reviewed and monitored by Multilingual Services.
3. **A list of volunteer internal multilingual employees** who have the linguistic capability to address phone inquiries in numerous languages such as Albanian, Arabic, Armenian, Bengali, Burmese, Cantonese, Cape Verdean, Czech, French, Greek, Gujarati, Haitian Creole, Hakkaneese, Hindi, Husa, Ibo, Italian, Khmer, Korean, Lao, Mandarin, Portuguese, Punjabi, Russian, Spanish, Urdu, and Vietnamese (see table above page 8). <http://intranet/CO/SitePages/For%20Call%20Centers.aspx>
4. **Language Identification Flashcard.** The card states “I speak” in 38 languages and is used to identify the language spoken by LEP customers accessing services provided by the DUA, DIA, DLS and Career Centers (see sample poster on page 12) http://intranet/CO/Multilingual%20Docs/ispeak_flashcard_.pdf and <http://www.mass.gov/massworkforce/resources/multilingual-services>
5. **Guide Card stating “One Moment Please” in 18 languages** (including phonetic pronunciation). (See sample flashcard page 8).
<http://intranet.detma.org/CO/Multilingual%20Docs/One%20Moment%20Please%20Tool.pdf> and <http://www.mass.gov/massworkforce/resources/multilingual-services>
6. **Step procedures for DUA Call Center and Walk-In staff** on how to request Interpreter Services
<http://intranet/CO/SitePages/For%20Call%20Centers.aspx>
7. **Step by step procedures for DUA Hearings staff** on how to request Interpreter Services as well as interpreter related information. <http://intranet/CO/SitePages/For%20Hearings.aspx>
8. **Step by step procedures for Career Center staff** on how to request Interpreter Services, Career Center Seminar videos in English, Spanish, Portuguese, American Sign Language request procedures
<http://intranet/CO/SitePages/For%20Career%20Centers.aspx> and <http://www.mass.gov/massworkforce/resources/multilingual-services>
9. **Step by step procedures for Agency staff** to request **American Sign Language** services.
<http://intranet/CO/SitePages/Guidelines%20for%20American%20Sign%20Language%20for%20Career%20Centers.aspx> and <http://www.mass.gov/massworkforce/resources/multilingual-services>

10. **Step by step procedures for Department of Industrial Accident** on how to request Interpreter Services
<http://intranet/CO/SitePages/For%20Medical%20Security.aspx>
11. **Step by step procedures for Department of Labor Standards** on how request Interpreter Services
<http://intranet/CO/SitePages/For%20Medical%20Security.aspx>
12. The Language Access Plan. The goal of the language access planning and implementation is to ensure that the Agency communicates effectively with limited English proficient (LEP) individuals
<http://intranet/CO/Multilingual%20Docs/LANGUAGE%20ACCESS%20PLAN%20Final%202012-31-12.pdf>
and <http://www.mass.gov/massworkforce/resources/multilingual-services>

This above content is updated regularly on a needed basis. Personnel are informed of any and all changes.

B. LEP Customers Access to Language Resources

Materials and publications, classified by EOLWD Agencies (DUA, DCS, DIA, DLS) and customer need, are accessible at all times by customers and staff on the Multilingual page of the EOLWD site:
www.mass.gov/eolwd/multilingual

LEP customers may request interpreter services at all times free of charge when calling any EOLWD agency. Agency staff is periodically trained on how to request interpreter services to assist LEP customers.

Claimants who apply for Unemployment Benefits (UI) online or by calling UI staff may choose to have UI correspondence sent to them in their primary language if it's one of the 12 statutory languages: English, Spanish, Portuguese, Haitian Creole, Vietnamese, Chinese, Khmer, Lao, Italian, Russian, Korean and French.

LEP claimants who are covered by the **statutory languages** and who opted to receive correspondence in their primary language may receive the following documents in translation:

1. Fact Finding/Questionnaire cover letters giving LEP customers the option:
 - a. To call the LEP fact finding line, specially staffed to assist LEP customers in their preferred language **or**
 - b. To send their contact information to receive a call at their convenience in the their preferred language.
2. Monetary Determinations - Monetary Redeterminations- Non-Monetary Determinations
 - a. All the above documents include a Babel notice including the general number with options to choose the Spanish, Portuguese or Cantonese line staffed by Internal Bilingual UI Staff.
 - b. On Non-Monetary Determinations, the Multilingual Toll Free Number is included with the appropriate extension for LEP customers to conveniently reach the staff member designated for that language.

3. New LEP claimants choosing to receive correspondence in their primary language will receive the **initial packet** by mail in their chosen language. This includes:
 - a. Acknowledgment Letter
 - b. “A Guide to Benefits and Employment Services for Claimants” Booklet
 - c. Find the One-Stop Career Center Nearest You flyer
 - d. Any pertinent information that is vital and involves accessing programs, services and activities, as well as receiving benefits.
4. Any DUA forms not translated in their entirety include a “Babel Notice”* explaining that the document is important and needs translating. The notice also includes a phone number where a claimant can request language services.
5. Outreach is conducted and information presented in foreign languages via wide-reaching ethnic media such as newspapers, television, and radio. Video Voice-Over.
6. DUA and DCS produced videos that were translated into Spanish and Portuguese, voiced by Multilingual Services staff and uploaded on YouTube and the EOLWD Internet site.
7. All vital information documents (e.g. EUC-REA information, Career Center Seminar invite and reminder) are translated into 12 languages and sent out timely to LEP customers.
8. All EOLWD Departments **must** display at the reception area an “**I speak**” card (see page 12) on the front counter or posted on the walls to facilitate proper language identification when providing services to the LEP customer. All front -line Agency Staff shall have an “**I speak**” card in 38 languages to assist in determining the language needs of customer. Once the staff knows the customer’s language, either bilingual staff , Multilingual Specialists or over-the-phone language services will be used to assist the LEP customer.
http://intranet/CO/Multilingual%20Docs/ispeak_flashcard_.pdf

*“Babel Notice” refers to a notice that Multilingual Services specifically created to notify LEP claimants, in the statutory languages, that an attached DUA notice is important and the claimant should have it translated immediately.

“I speak” card

2004 Census Test	United States Census 2010
<input type="checkbox"/> وضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic
<input type="checkbox"/> Մարդու՞մ է՞նք նշում՞ կատարելք այս քառակուսու՞մ, եթե խոսում՞ կամ կարգում՞ եք հայերեն:	2. Armenian
<input type="checkbox"/> যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাবেদ দাগ দিন।	3. Bengali
<input type="checkbox"/> ល្អប្រសើរណាស់បើអ្នកចេះ: បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	4. Cambodian
<input type="checkbox"/> Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	5. Chamorro
<input type="checkbox"/> 如果你能读中文或讲中文, 请选择此框。	6. Simplified Chinese
<input type="checkbox"/> 如果你能讀中文或講中文, 請選擇此框。	7. Traditional Chinese
<input type="checkbox"/> Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8. Croatian
<input type="checkbox"/> Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
<input type="checkbox"/> Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
<input type="checkbox"/> Mark this box if you read or speak English.	11. English
<input type="checkbox"/> اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.	12. Farsi

DB-3309 U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

All EOLWD Agencies are strongly encourage to display signs or posters at the reception area announcing the availability of free language assistance services.

Robot Calls in Spanish and Portuguese are also conducted to inform claimants of pertinent information. Spanish, Portuguese and Cantonese messages concerning changes, updates, etc. are recorded on the IVR line for claimants to access upon calling.

C. Community-Based Organizations

The list is available on the EOLWD Intranet Multilingual Page <http://intranet.detma.org/multilingual> Community-Based Organizations (CBOs) and Legal Advocacy Services serving LEP customers are informed on a regular basis about important information, new services, program, laws that involve LEP customers (example: minimum wage law) so they can inform their constituents.

D. State Law Requirements

Mass. State Law requires that Unemployment Insurance (UI) notices be issued in Spanish, Chinese, Haitian Creole, Italian, Portuguese, Vietnamese, Lao, Khmer, Russian, Korean, Arabic, French and any other language that is the primary language of the lesser of **10,000** people or **0.5%** of total state population. (See G.L.c 151A, sec. 62A).

4) Language Makeup of Client Population

A. Identifying LEP Individuals in Need of Language Assistance

The UI Online system identifies new and reopened claims. This system provides DUA with valuable data to help identify LEP claimants needing language assistance (See page 13, FY16 1st quarter data for Statutory Language LEP Claimants requesting assistance when filing UI claims). DUA uses the data to assess the number and proportion of LEP persons served as well as to assess the frequency with which LEP individuals come in contact with DUA.

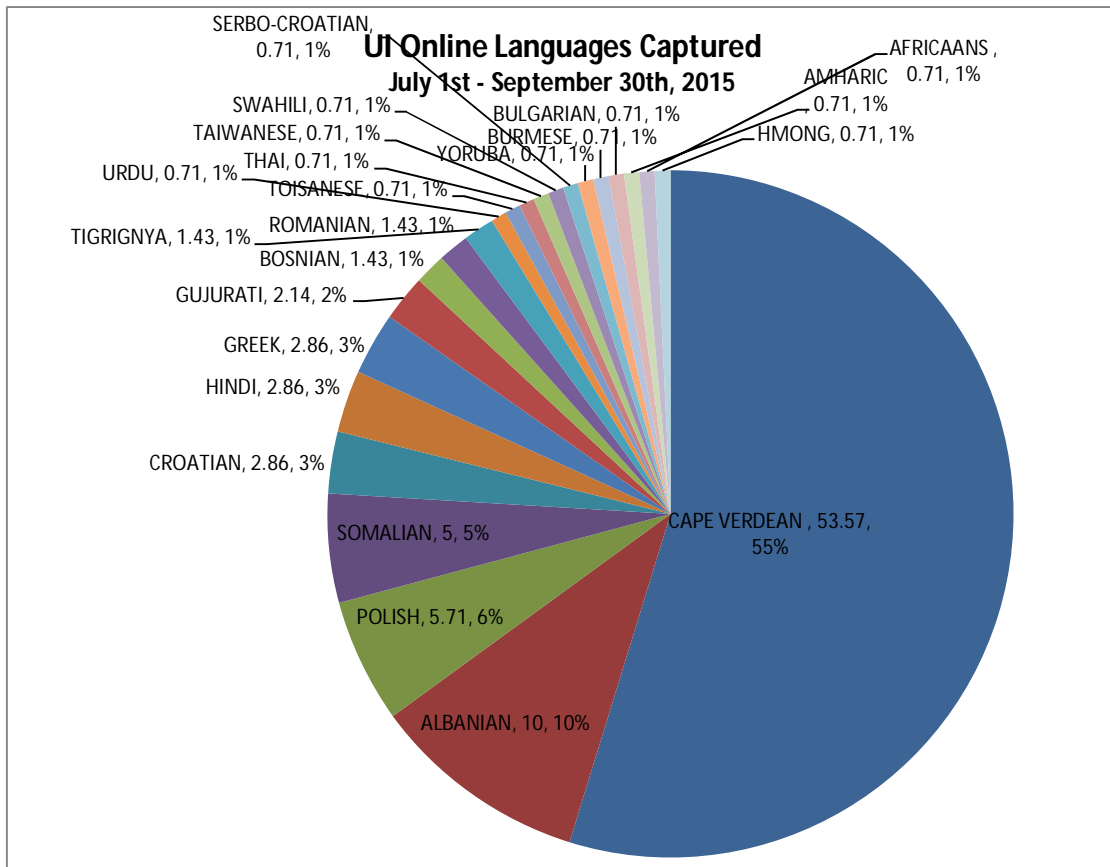
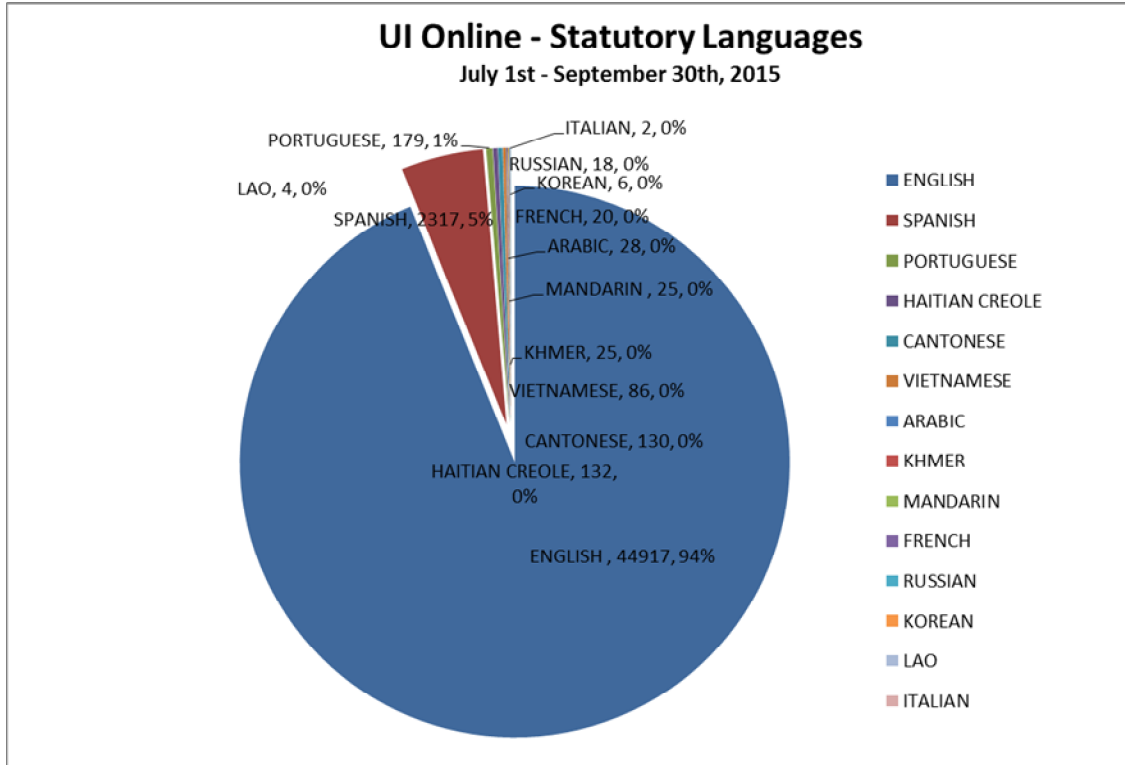
This information is crucial to record from the initial claim stage, as this language code is also applied in the DCS Career Center System, determining what language services a claimant needs to comply with federal and state requirements to receive unemployment and avoid sanctions.

i. Identification of UI claimants' primary language

Most often, an LEP claimant first contacts DUA when filing a claim for UI benefits. When the initial claim is filed, the UI Staff must (1) determine the claimant's primary language and (2) properly code the claimant's primary language in the UI Online system. A UI Staff member unable to identify the claimant's primary language should call the Multilingual Services Unit or ask the assistance of the over-the-phone language specialist to determine the claimant's language.

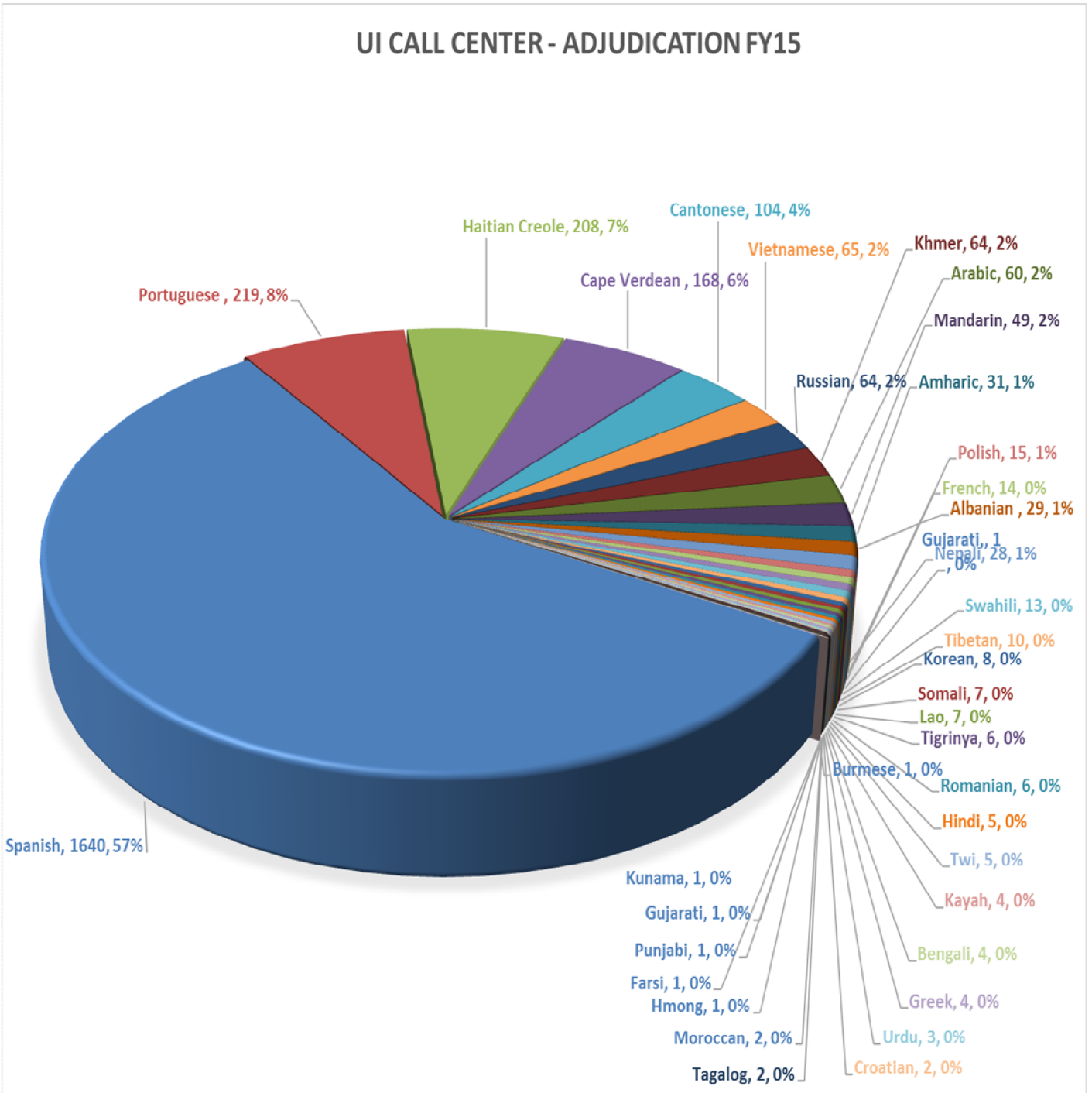
The claims-taker must enter in UI Online whatever language the claimant states as primary, even if the claimant is able to communicate in English. If a DUA staff member later learns that a claimant has been incorrectly coded, whether with English as the claimant's primary language or otherwise, the UI system should be updated.

The Unemployment Insurance TeleClaim Call Center (UITCC) has Spanish, Portuguese and Cantonese dedicated lines staffed by DUA in-house bilingual agents. A voice response system directs the calls appropriately to the Call Center bilingual staff. Thus, they handle the majority of calls from the three most significant LEP language groups served. Calls from LEP claimants who speak other statutory languages are directed to staff that employ either in-house or contracted professional telephone interpretation services. The LEP cover sheet provides a direct Toll Free line that LEP customers can directly call. The Fact-finding line conveniently displays the language the LEP claimant speaks so that DUA staff can contact either the Multilingual Unit or Language Line services.



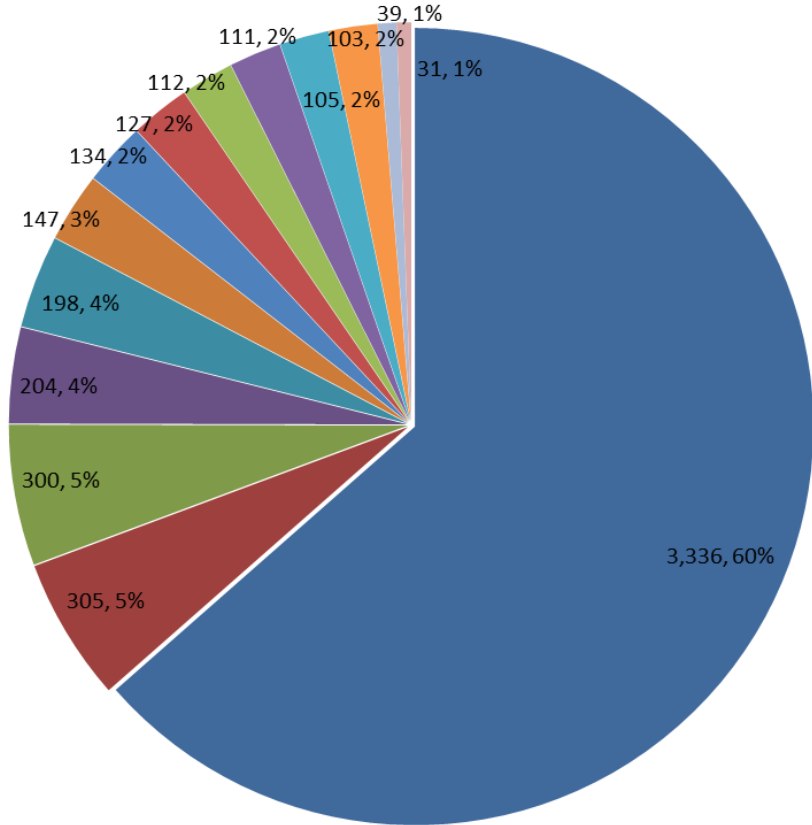
An LEP customer assessment is done quarterly. The pie chart above represents Claimants who indicated their primary language on the UI Online system.

Total FY15 Adjudication phone calls using the over-the-phone language line services = **2278 calls**
 Average time per call = **18 min.**



LEP customers assisted at Career Centers FY15 (July 1st 2014 – June 30th 2015)

Language	Totals	
Spanish	3,336	60%
Haitian Creole	305	5%
Portuguese	300	5%
French	204	4%
Cantonese	198	4%
Cape Verdean Creole	147	3%
Other	134	2%
Arabic	127	2%
Vietnamese	112	2%
Russian	111	2%
Mandarin	105	2%
Khmer	103	2%
Hindi	39	1%
Polish	31	1%



- Spanish
- Haitian Creole
- Portuguese
- French
- Cantonese
- Cape Verdean Creole
- Other
- Arabic
- Vietnamese
- Russian
- Mandarin
- Khmer
- Hindi
- Polish

ii. Limited English Population in Massachusetts – Census 2010

LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS OF AGE AND OVER
(Percentages rounded to nearest tenth; all values below 0.05% are labeled “less than 0.1 %”)*

Language	Number of speakers	Speakers as % of total population	Number of total population that Speaks English “very well”	% of total population that speaks English “very well”	Number of total population that speaks English less than “very well” (LEP)	% of total population that speaks English less than “very well” (LEP)
Total pop. 5 and Older	6,108,770	100.0%				
Speak only English	4,823,127	79.0%				
Spanish	457,990	7.5%	255,571	4.2%	202,419	3.3%
Portuguese	180,975	3.0%	91,774	1.5%	89,201	1.5%
Chinese	98,735	1.6%	48,962	0.8%	49,773	0.8%
French	70,607	1.2%	55,184	0.9%	15,423	0.3%
Haitian Creole	53,724	0.9%	30,932	0.5%	22,792	0.4%
Italian	43,184	0.7%	30,625	0.5%	12,559	0.2%
Russian	36,252	0.6%	18,624	0.3%	17,628	0.3%
Vietnamese	35,306	0.6%	12,185	0.2%	23,121	0.4%
Greek	24,700	0.4%	17,804	0.3%	6,896	0.1%
Arabic	23,620	0.4%	14,575	0.2%	9,045	0.1%
Khmer	23,023	0.4%	11,000	0.2%	12,023	0.2%
Polish	21,812	0.4%	13,856	0.2%	7,956	0.1%
German	17,292	0.3%	15,331	0.2%	1,961	Less/th 0.1%
Hindi	15,748	0.3%	12,783	0.2%	2,965	Less/th 0.1%
Korean	15,175	0.3%	7,950	0.1%	7,225	0.1%
Lao	2,745	Less/th 0.1%	1,637	Less/th 0.1%	1,108	Less/th 0.1%

Notes:

The languages highlighted on the table above are the 12 statutory languages that the Massachusetts State Law requires UI notices be provided in. (See G.L.c 151A, sec. 62A). This data is consistent with the languages served by our Agency.

B. Points of Contact between Agency and Client Population



One-Stop Career Centers

The One-Stop Career Centers provide job search assistance and other job search and training services. The map above shows the Career Center locations throughout Massachusetts.

While all language services are available to claimants at any point of contact, this list below indicates the points that have bilingual staff available immediately on-site. The complete directory of all One-Stop Career Centers is found at: <http://www.mass.gov/lwd/employment-services/dcs/find-a-career-center-near-you.html>

The “Find the One-Stop Career Center Nearest You” flyer which describes the various services available at the One-Stop Career Centers and lists their location is translated into the 12 statutory languages (available at <http://www.mass.gov/lwd/eolwd/multilingual-information/multilingual/dcs-multilingual.html>)

Unemployment Insurance Walk-In Centers and Career Centers

In addition to job search assistance, the One-Stop Career Centers listed below also provide Unemployment Insurance (UI) Walk-In services in multiple languages in addition to English

Region	City/Town	Career Center Name	Career Center Website	Languages Spoken ¹
Boston	Boston	CareerSolution	www.careersolution.org	Cantonese, Mandarin and Vietnamese
	Boston	BostonCareerLink	www.bostoncareerlink.org	Spanish, Kreyol, Portuguese, Cantonese and ASL
Metro North	Cambridge	Career Source	www.yourcareersource.com	Spanish and Haitian Creole
	Woburn	The Career Place	www.careerplacejobs.com	Spanish and Portuguese
	Chelsea*	Career Source	www.yourcareersource.com	Spanish
Metro South	Norwood	Employment and Training Resources	www.etrcc.com	Russian
Northeastern Massachusetts	Lawrence	ValleyWorks	www.valleyworks.cc	Spanish
	Lowell	Career Center of Lowell	www.cclowell.org	Spanish, Portuguese, and Khmer
	Salem	North Shore Career Center	www.nscareers.org	Spanish
Southeastern Massachusetts	Brockton	Career Works	www.careerworks.org	Portuguese
	Fall River	Fall River Career Center	www.bristolwib.org	Portuguese
	New Bedford	New Bedford Career Center	www.newbedfordcareercenter.org	Portuguese, and Spanish
	Quincy	Quincy Career Center	www.quincycareercenter.org	Chinese and Vietnamese
Central Massachusetts	Leominster	North Central Career Centers	www.ccnm.com	Spanish
	Southbridge	Workforce Central Career Center	www.workforcecentralma.org	Spanish
	Worcester	Workforce Central Career Center	www.workforcecentralma.org	Spanish Vietnamese
Western Massachusetts	Holyoke	CareerPoint	www.careerpointma.org	Spanish
	Springfield	FutureWorks Career Center	www.getajob.cc	Spanish, and Polish

* Satellite office with limited services

¹ In addition to English

NOTE: Languages Services are available in all One-Stop Career Centers upon request.

5) Vital Documents Translation

Translation is the rendering of a written text from the source language into the target language.

Massachusetts General Law c. 151A, §62A requires that Unemployment Insurance (UI) notices must be written in simple, clear language and translated for claimants whose primary language is listed in **GL c. 151A**. The current statutory languages are: Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese, Russian, Khmer, Lao, Italian, Korean, French and Arabic. The statute also applies to languages that are the primary language of at least 10,000 or ½ of 1% of all Commonwealth residents, regardless of the person’s English proficiency.

A. Written Translations Guidelines:

- a. When an LEP claimant’s primary language meets the statutory requirements specified by M.G.L. c. 151A, § 62A(d)(iii), DUA must “issue all notices and materials explaining the provisions of this section” in the claimant’s primary language.*
- b. EOLWD publications and material are coordinated through the Office of Multilingual Services. Vital documents are translated into the **12 statutory languages**; Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese, Russian, Khmer, Lao, Italian, Korean, Arabic and French. The Office of Multilingual Services performs quality-control on all translated documents and publications.
- c. DUA and DCS translated publications are available in print in DUA Walk-In Centers and in One-Stop Career Centers.
- d. DIA translated publications are available at the DIA main office as well as in the regional DIA offices. DLS translated publications are available at field offices. ALL multilingual publications are accessible through the Office of Multilingual Services webpage: www.mass.gov/eolwd/multilingual and are classified by agency and by language.
- e. EOLWD through its Office of Multilingual Services, uses Multilingual Specialists from the Multilingual Unit as well as a Professional Translation contractor employing only American Translators Association (ATA) certified translators.
- f. Every effort is made for the translated documents to receive the same high-quality review as publications in English. All decisions to translate **official** publications must go through the Office of Multilingual Services.
- g. The Office of Multilingual Services must approve all translated publications, and all translations must go through the four-part process outlined **below**.
 1. After the Program Manager has approved a publication for translation, the Manager will send the document to the Office of Multilingual Services. The language specialists in the Multilingual Unit will perform in-house translations for Spanish, Portuguese, Chinese and

* The so-called statutory languages are: Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese, Russian, Khmer, Lao, Italian, Korean, Arabic and French.

Vietnamese. The other languages will be sent to a professional translation company contracted by the Office Multilingual Services.

2. The translation can take between 1 day to 3 weeks depending on the document length, target language, and the degree of technical difficulty.
3. When the translation is completed, the Office of Multilingual Services will perform **quality control** and review the document for linguistic accuracy, readability level and completeness.
4. The official publication will be posted on the Multilingual webpage on the EOLWD website: www.mass.gov/eolwd/multilingual.

B. Claimant Notices and Online System

i. Babel Notices*

If a document is not translated in its entirety, then the document shall be sent to LEP customers with a 12 language notice “Babel Notice.”

Each “Babel” notice emphasizes the importance of having the document translated. The Babel notices include a phone number where LEP customers can be helped in their preferred language.

This document contains important information. Please have it translated immediately, or call 617-626-6800 or from area codes 508, 978, or 413, call 877-626-6800. You may request an interpreter.

В данном документе содержится важная информация. Вам необходимо срочно сделать перевод документа, или позвонить по телефону 617-626-6800, или, если Вас телефонный код начинается с цифр 508, 978, или 413, Звоните по телефону 877-626-6800, где Вам помогут с переводом.

Este documento contiene información importante. Por favor, consiga una traducción inmediatamente. Para asistencia con la traducción llame al 617-626-6800; desde los códigos de área 508, 978 y 413 llame al 877-626-6800 y oprima el 3 para asistencia en español.

تحتوي هذه الوثيقة علي معلومات هامة. يرجى ترجمتها فوراً، أو اتصل بـ 617-626-6800 أو من أكواد المناطق 508 أو 978 أو 413، اتصل بـ 877-626-6800 من أجل المساعدة في الترجمة.

Docikman sa gen enfòmasyon enpòtan. Tanpri fè yon moun tradwi l touswit, oswa rele nan 617-626-6800 oubyen de kòd area 508, 978, oswa 413, rele 877-626-6800 pou èd.

Questo documento contiene informazioni importanti. La preghiamo di tradurlo immediatamente, o chiami 617-626-6800 oppure, dalle zone con codice 508, 978, o 413, chiamare 877-626-6800 per assistenza nella traduzione.

Este documento contém informações importantes. Por favor, traduza-lo imediatamente, ou chame ao número 617-626-6800 ou de códigos de área 508, 978, ou 413, ligue para 877-626-6800 e tecla 3 para Português para obter assistência de tradução.

此文件含有重要信息。請立即找人翻譯。或電 617-626-6800；但若在區域號碼 508、978、或413，致電 877-626-6800 要求翻譯協助。

본 문서에는 중요한 정보가 포함되어 있습니다. 본 문서를 즉시 번역하도록 하거나, 617-626-6800 번 또는 지역코드 508, 978번이나 413번에서 877-626-6800 번으로 전화하여 번역에 관한 도움을 받으십시오.

Ce document contient des informations importantes. Veuillez le faire traduire au plus tôt, ou appelez le 617-626-6800 ou à partir des préfixes 508, 978, o 413, appelez le 877-626-6800. Vous pouvez demander l'aide d'un interprète.

Tài liệu này có chứa thông tin quan trọng. Vui lòng dịch tài liệu này ngay. Gọi điện tới số 617-626-6800, hoặc nếu quý vị từ các mã vùng 508, 978 hay 413 thì hãy gọi điện tới số 877-626-6800, để được hỗ trợ về dịch thuật.

ເອກະຊານສະບັບນີ້ ບັນຈຸຂໍ້ມູນສຳຄັນ. ກະລຸນາເຂົ້າເອກະຊານສະບັບນີ້ໄປແປບອກຢ່າງບໍ່ຊັ້ງ. ໂທຫາເບີ 617-626-6800 ຫຼື ຫາກຈາກວະທັດ ເຂດ 508, 978, ຫຼື 413, ໂທໂທ 877-626-6800 ເພື່ອຂໍອາການຊ່ວຍເຫຼືອ ໃນດ້ານແປພາສາ.

ឯកសារនេះមានຂໍ້ព័ត៌មានដ៏សំខាន់ៗ សូមបកប្រែវា ជាបន្ទាន់។ សូមទូរស័ព្ទលេខ 617-626-6800 ឬពី លេខទូរស័ព្ទតំបន់ 508, 978, ឬ 413, ទូរស័ព្ទ 877-626-6800 សម្រាប់ជំនួយក្នុងការបកប្រែ។

*"Babel Notice" refers to a notice that Multilingual Services specifically created to notify LEP claimants, in the statutory languages, that an attached DUA notice is important and the claimant should have it translated immediately.

ii. UI Online

“UI Online” refers to the computer system which DUA has implemented to largely replace its old Legacy system. It offers language capacities in 12 languages, including English. A claimant can choose to receive correspondence in his/her primary language if the language chosen is among the 11 statutory languages (Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese, Khmer, Lao, Russian, Italian, French and Korean.)

UI Online Correspondence pertaining to claimant eligibility and/or containing vital information is translated and sent out to LEP claimants. Any information or notice that is not translated in its entirety contains a “Babel Notice” in 12 languages. The “Babel Notice” advises claimants of the importance of the information and provides a phone number to call for assistance with the option to request language services.

Disqualification Notices are translated in their entirety (fact finding, Effect of Determination and how to request a hearing on this determination) except for section of the law and ad hoc information however, it contains the Multilingual Unit toll-free numbers and is sent, along with the English version of disqualification notice to claimants coded by DUA for one of the 12 statutory languages.

DUA will continue to translate important eligibility notices and letters into all 12 statutory languages.

City:	Fall River *
State:	MA - Massachusetts
Zip Code:	02721-4417
Country:	US - United States Of America: *
Mailing Address	
Check this box if Mailing Address is same as Residential Address: <input type="checkbox"/>	
In care of (c/o):	
Address Line 1:	391 Wood St
Address Line 2:	
City:	Fall River
State:	MA - Massachusetts
Zip Code:	02721-4417
Country:	US - United States Of America: <input type="checkbox"/>
Telephone Numbers	
U.S. and Canada Only:	
Home:	
Mobile:	
Other:	
International Phone:	
Correspondence Preference	
How would you like to receive your correspondence? (Note: If you elect to receive messages electronically, English is the only language option.)	
If Electronic, enter email address:	
Re-enter email address:	
Mail Hold on Payment *	
Preferred Language	
Is English your primary language? <input type="checkbox"/>	
What is the primary language that you speak and read? Please select from the list in the drop down menu:	
Do you prefer to receive correspondence from DUA in your primary language? <input type="checkbox"/>	
NOTE: If you choose to receive correspondence in your primary language, DUA will send it by regular	
Note: Electronic correspondence is only available in English at this time.	

Select one

- Afrikaans
- Albanian
- American Sign Language
- Amharic
- Arabic
- Armenian
- Bengali
- Bosnian
- Bulgarian
- Burmese
- Cantonese
- Cape Verdean
- Croatian
- Czech
- Danish
- Dari
- Dutch
- Egyptian/Arabic
- Estonian
- Farsi
- Flemish
- French
- German
- Greek
- Gujarati
- Haitian Creole
- Hebrew
- Hindi
- Hmong

If the claimant chooses to receive correspondence in one of the 11 statutory languages, then the correspondence listed below will be issued to LEP claimant in that primary language.

UI Online Correspondence translated into the Statutory Languages

- Fact Finding/Questionnaire Cover Letters (including the LEP dedicated Fact Finding line)
- Monetary Determinations
- Monetary Redeterminations
- Non-Monetary Determinations (including the Multilingual Unit Toll-free line)

The preceding documents include the following sub-categorizes:

- | | |
|---------------------------------------|---|
| 1. Notices of Approval | 6. Babel Notices |
| 2. Notices of Disqualification | 7. TRA/TAA Eligibility Determinations |
| 3. Notices of Fault and Fraud Finding | 8. Notice of Potential Offset of Benefits |
| 4. Notices of Fault Finding | 9. How to Request a Hearing |
| 5. Finalized Overpayment Notices | |

C. List of Agency Forms & Standard Publications

The following DUA and DCS Publications are available in hard copy at the Boston UI Walk-In Center and One-Stop Career Centers. Should staff need a supply of the multilingual material, requests should be made to the Hurley Building Reproduction Department . Agency translated standard publications are posted on EOLWD Website <http://www.mass.gov/lwd/eolwd/multilingual-information/multilingual/>

- **DUA & DCS** Publications are translated into the 12 statutory languages
- **DIA** Publications are translated into the 8 most encountered languages: Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese, Cape Verdean Creole, Arabic and Khmer
- **DLS** Publications are translated as needed for the target audience

DUA Publication Name	Form #
A Guide to Benefits and Employment Services for Claimants (UI Booklet)	P2594
Training Opportunities Program Brochure (TOP) – Section 30	1938
Systematic Alien Verification for Entitlements Program (SAVE)	
TeleCert Questions Flyer	2126
How to File For UI Benefits	0590A
Information on Employees – Poster	2553A
How Your UI Benefits are Determined	2023
Participating in WorkSharing/A Guide for Workers	2141
211 Flyer	211
Work Search Activity Log	2599/1750
Direct Deposit	3627
Important Information Regarding Appeals	1917
Your Guide to the UI Appeals Process	
Health Connector Brochure	
Debit Card information	
UIOnline Booklet	
Acknowledgment Letter	

DCS Publication Name	Form #
Your Job Search Journal	1799
The Resume Guide	1865
Selling Yourself on Paper-The Resume	1981
Landing the Job You Want-Networking	1982
Landing the Job You Want-Interviewing	1983
Selling Yourself on Paper-The Job Application	1984
Getting Started- Career Planning	1985
Selling Yourself On Paper- The Cover Letter	1986
Need Training? Read This	2115
List of One-Stop Career Centers	2026a

Multilingual Services has produced **5** different versions of the **One-Stop Career Centers Seminar video**: English, Spanish, Portuguese, American Sign Language, and Closed Captioning. These are found on the EOLWD Intranet at <http://intranet.detma.org/multilingual> and on MassWorkforce System <http://www.mass.gov/massworkforce/resources/multilingual-services/>

DIA Publications are translated into the 8 most encountered languages: Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese, Cape Verdean Creole, Arabic and Khmer

DIA Publication Name
Injured Worker's Guide To Workers' Compensation
Employer's Guide to Workers' Compensation
Understanding Workers' Comp
Lump Sum Brochure
Vocational Rehabilitation Brochure
Instructions to fill out Form 101 and 110
Investigator Multilingual Card

DLS Publications are translated as needed for the target audience

DLS Publication Name
Lead Poisoning information in Spanish and Portuguese
Danger of acrylic nails in Vietnamese
Your Rights under the Massachusetts Temporary Workers Right to Know Law in Spanish, Portuguese, Haitian Creole, Vietnamese, Chinese, Khmer, Russian, French, Arabic, Swahili, Somali, Tigrinya, Burmese and Nepali
Information for Staffing Agencies Regarding the Temporary Workers Right to know Law in Spanish and Portuguese
Information for Worksite Employers Using Employment, Placement, or Staffing Agency Services in Spanish & Portuguese

EOLWD Publications are translated as needed for the target audience

EOLWD Publication Name
Joint Task Force on the Underground Economy 2014 in Spanish
Minimum Wage Law in Spanish, Portuguese, Chinese and Vietnamese

6) Stakeholder Consultations

- This updated Plan is recirculated, as needed, for Agency review, comments, and clearance. The Plan will be revised every two years or as needed.
- This updated Plan is also be presented, in its updated form, to Community-Based Organizations and Legal Services representing LEP customers so they have an opportunity to provide feedback.
- This updated Plan is posted on the Administration and Finance Diversity, Access & Opportunity website <http://www.mass.gov/anf/employment-equal-access-disability/diversity-access-and-opportunity/access-and-opportunities/language-access/executive-branch-agency-language-access-plans.html>
- This Plan is posted on the EOLWD Intranet <http://intranet.detma.org/multilingual> and on the Mass Workforce Development System <http://www.mass.gov/massworkforce/resources/multilingual-services/>for Agency review.

7) Staff Training

The Language Access Plan is:

1. Part of the orientation training for new employees;
2. Part of regular trainings to DUA, DCS, DIA and DLS agency staff having contact with the public, so such staff is trained to work effectively with LEP customers and telephone interpreters;
3. Present to management so they are fully aware of and understand the LAP, in order to reinforce the plan's importance and ensure its implementation by staff;
4. Present as a model at the National level;
5. Present at Governor's Office of Access and Opportunity;
6. Serve as example to other state agencies who need assistance to create their own LAP.

8) Public Outreach

- EOLWD Language Access Plan posted on Mass.gov <http://www.mass.gov/governor/docs/oao/eolwd-lap-6-2013-final.pdf> for public view.
- CBOs serving LEP customers are informed regularly of important changes in programs, services and activities.
- Outreach conducted and information provided to claimants in foreign languages via broad-ranging ethnic media such as newspapers, TV, and radio.
- Legal Services and Advocacy groups are informed about language access through regular Quarterly Meetings.
- Posting the Multilingual Unit Toll-free telephone line on important documents issued to LEP customers which includes a menu in the 12 statutory languages: Spanish, Portuguese, Haitian Creole, Chinese, Vietnamese, Russian, Italian, Khmer, Lao, Korean, Arabic and French to assist claimants needing clarification information on any of the EOLWD agencies services, programs or activities.
- UI Online system issues correspondence in the Claimants' primary language providing that is one of the 11 statutory languages and that the claimant has requested to obtain correspondence in his/her primary language. The notice includes a statement that claimants can request an interpreter for the hearing free of charge.

- The UI Booklet is available in the 12 statutory languages and it is mailed out to LEP claimants whose primary language is one of the 12 statutory languages. Including in the UI initial packet are the Acknowledgment letter, UI booklet and the Career Center flyer.
- Every One-Stop Career Center lists the languages available on their respective websites (see listing on pages 19).
- DUA Boston Walk-In Center, All One-Stop Career Centers, DIA and DLS regional offices must have the Language Identification Flashcard in all reception areas. The Flashcard states “I speak” in 38 languages is used to identify the language spoken by the LEP customers. The staff then can refer to the Language Assistance Guidelines to help the LEP customer. This document can be found on the Multilingual Intranet page <http://intranet.detma.org/multilingual> and on the Massachusetts Workforce Development System Multilingual Resource page <http://www.mass.gov/massworkforce/resources/multilingual-services/>
- Documents that are not entirely translated have a “Babel Notice” stating the importance of having the document translated into the customer’s language.
- Translated material is available on our EOLWD Website by clicking on <http://www.mass.gov/lwd/eolwd/multilingual-information/multilingual/>



9) Agency Monitoring

The Office of Multilingual Services, acting as the Subject Matter Expert, reviews and updates its Language Access Plan biannually or as needed. The review assesses:

- a. Whether there have been any significant changes in the composition or language needs of the program population served (this will be determined primarily by the data collected by EOLWD Departments and supplemented, decennially by U.S. Census data);
- b. Whether the staff knows and understands the LAP document and how to implement it, trainings to Career Center, DUA Call Center, DUA Walk-in, DIA and DLS staff are performed on a regular basis;

- c. A review to determine if additional vital documents require translation;
- d. A review of any issues or problems related to serving LEP persons which may have emerged during the past year; and;
- e. Identification of any recommended actions to provide more responsive and effective language services (for example, adding documents to be translated, creating or expanding partnerships with community organizations, or changing staffing priorities).

Monitoring the effectiveness of a Language Access Plan may include:

- Analyzing current and previous data on language assistance usage, including languages served;
- Surveying staff on how often they use language assistance services, if they believe there should be changes to the services provided or the providers used, and if they believe that the language assistance services in place are meeting the needs of the LEP communities in your service area;
- Monitoring feedback from community-based organizations, legal services and other stakeholders about the Agency’s effectiveness and performance in ensuring meaningful access for LEP individuals;
- Establishing Focus groups with LEP customers and surveying the effectiveness of language access.

NOTE:

Providing LEP persons meaningful access to EOLWD programs, services, and activities will help enable our Agency to achieve its mission “to ensure equal access to a wide range of programs and resources to **all** its customers.” Thus, LEP persons will gain access to the many valuable Agency programs, services, and activities, increasing their ability to pursue and achieve educational and professional goals.

10) Complaints

Language Access Complaint Procedure

You may file a complaint with the Agency Language Access Coordinator or the Office of Access and Opportunity if you believe you have been denied the benefits of this Plan. You must file a written complaint. You must file your complaint within 6 months of the alleged denial. To file a complaint with the Language Access Coordinator, submit the written complaint to:

Marisa de la Paz
Director of Multilingual Services
Executive Office of Labor and Workforce Development
19 Staniford Street - First Floor
Boston, MA 02114
E-mail: mdelapaz@detma.org

Agency Head

Date

Appendix

Guidance for Career Centers on Implementing the Language Access Plan (LAP)

In view of the nature and purpose of One-Stop Career Centers' interaction with Limited English Proficiency (LEP) persons, this Plan provides guidance to Career Center staff as to language services for communicating with LEP persons.

1. Department of Justice Guidance

Section 2 of Executive Order 13166 requires each federal Agency to "prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons." These plans must be consistent with the standards set forth in a general guidance document concurrently issued by the Department of Justice (DOJ LEP Guidance). In that guidance document, the DOJ provided federal agencies with general principles to apply when developing guidelines for their federal financial assistance recipients. It was later supplemented by an October 26, 2001 clarifying memorandum from Ralph F. Boyd, Jr., Assistant Attorney General for the DOJ's Civil Rights Department. On June 12, 2002, the DOJ issued a final guidance for recipients of federal financial assistance. In applying the DOJ LEP Guidance to federally conducted programs and activities, the Agency must "take reasonable steps to ensure 'meaningful' access [to LEP individuals] to the information and services [it] provide[s]." The DOJ LEP Guidance explains, "What constitutes reasonable steps to ensure meaningful access will be contingent on a number of factors." **Those factors are:**

The number or proportion of LEP persons served or encountered in the eligible service population. Due to the fact that US Census 2010 data (page 15) may not adequately measure current LEP needs in the One-Stop Career Center service area, Career Centers are strongly encouraged to record customer primary language data in the Moses system. A factor in determining the reasonableness of an Agency's efforts is the number or proportion of LEP individuals from a particular language group served or encountered in the eligible service population. Even those agencies that serve very few LEP individuals on an infrequent basis are subject to the requirement to take reasonable steps to provide meaningful access. After balancing these four factors, each Career Center must determine whether reasonable steps are possible and to have a plan for what to do if an LEP individual seeks programs or services from the Career Center. The plan can be as simple as having access to a commercially available language line.

The frequency with which LEP individuals come in contact with the Agency.

An Agency has a greater obligation to ensure reasonable access to its programs and services if contact with LEP persons is frequent. An Agency should take into account local and regional conditions when determining the frequency of contact of the LEP population with its programs and services.

The nature and importance of the program, activity, or service provided.

The nature and importance of the program, activity, or service affects the determination of what reasonable steps are required to ensure meaningful access. Also, an Agency must assess a program's short and long-term importance.

The resources available. The resources available may affect the nature of the steps that the Agency must take.

"Reasonable Steps" may no longer be reasonable where the costs imposed substantially exceed the benefits.

In considering the resources available, Executive Order 13166 also notes that the system developed to provide LEP persons meaningful access to the Agency's services should be consistent with the Agency's fundamental mission, without unduly burdening that mission.

Each One-Stop Career Center may wish to assess its local service population. A One-Stop Career Center in a largely Hispanic neighborhood may need immediate oral interpreters available and should give serious consideration to hiring bilingual staff.

Below is a snapshot of the “Primary Language” field (circle in red). The data **should** be used by Career Center staff to assess the number or proportion of LEP persons served and the frequency in each Career Center.

This data is recorded in the MOSES database in the **CS_APPLICANT_MAIN** table.

The screenshot shows a software application window titled "Job Seeker Membership (test, donna)". The window displays a form for a user named "test, donna" with SSN: XXX-XX-1021 and ID: 10021387. The form is divided into several sections:

- Additional Information:** Includes fields for "Employed" (Yes/No), "Disability" (Yes/No), "Disability Type" (Physical/Mental), "Immigrant" (Yes/No), "Disability Comment", "Dislocated Worker", and "Received Notice of Layoff/Military Separation". The "Primary Language" dropdown menu is circled in red and currently shows "Spanish".
- Education:** Includes "In School" (Yes/No/Yes - In Alternative School/No) and "Highest Degree" (Information Not Available).
- Economically Disadvantaged:** Includes "Family Size" (3) and "Is your family income for the last six months below \$10,520.00?" (Yes/No).
- Migrant Status:** Includes radio buttons for "Seasonal Farm Worker, Non Migrant", "Migrant Farm Worker", and "Migrant Food Processor".
- Career Objective:** A large text area for entering career goals.

At the bottom of the window, there are buttons for "Trade", "Eligibility", "Match Criteria", "Run Match", "Eligibility Criteria", "OK", and "Cancel".

2. Translation and Interpretation Principles

Based on the One-Stop Career Centers (CC) services, programs and activities offered, prioritize and describe the steps the CC will take to ensure such services, programs and activities provide meaningful access to the LEP populations whose meeting or exceeding the **5% threshold or 1000 people of the population served**. In addition to the four factors set forth in the DOJ LEP Guidance, the Agency adopts the translation and interpretation assistance principles provided below:

- Career Center staff shall take reasonable steps to ensure high-quality translation and interpretation services through the established Language Assistance Guidelines provided to them by Multilingual Services;
- Some translated documents explain the legal rights and obligations of individuals or convey important information upon which an LEP individual may rely to his or her benefit or detriment. One-Stop Career Center management shall consult with the **Office of Multilingual Services** for advice on translation services;

- Each One-Stop Career Center manager shall endeavor to expand the breadth or nature of translation and interpretation assistance when experience, changes in target or service population demographics, or new program-specific data indicate that the failure to do so may result in the denial of substantially equal and meaningfully effective services to the LEP populations served by the agencies, particularly with those populations with which an office has substantial and consistent contact.

A. Which Documents Should Be Translated?

After applying the four-factor analysis, a recipient may determine that an effective LAP for its particular program or activity includes the translation of **vital** written materials into the language of each frequently-encountered[†] LEP group eligible to be served and/or likely to be affected by the recipient's program. Such written materials could include:

- Applications to participate in a recipient's program or activity or to receive benefits or services;
- Letters containing important information regarding participation in a program or activity;
- Notices advising LEP persons of the availability of free language assistance and other outreach materials;
- Consent and complaint forms;
- List of One-Stop Career Center and services provided;
- Notices pertaining to the reduction, denial or termination of services or benefits and of the right to appeal such actions;
- Notices that require a response from beneficiaries;
- Information on the right to file complaints of discrimination;
- Information on the provision of services to individuals with disabilities;
- Written tests that do not assess English language competency, but test competency for a particular license, job, or skill for which English language proficiency is not required.

* For purposes of these guidelines, the term “frequently-encountered languages” shall mean any language spoken by at least 5% or one thousand people whichever is less of the population served with a particular Agency program, service or activity. The Agency is committed to apply the 5% standard to the geographic region served by the regional office

Whether or not a document (or the information provided and/or solicited) is “vital,” may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

For instance, a description of books contained in the resource room of a One-Stop Career Center would not generally be considered vital, whereas applications for Unemployment Insurance or information about safety and health requirements could be vital. Where appropriate, recipients are encouraged to create a plan for consistently determining, over time and various activities, what documents are “**vital**” to the meaningful access of the LEP populations.

Classifying a document as vital or non-vital can be difficult, especially in the case of outreach materials like brochures or other information on rights and services. Awareness of rights or services is an important part of “meaningful access.” Lack of awareness that a particular program, right, or service exists may effectively deny LEP individuals meaningful access. Thus, where a recipient is engaged in community outreach activities in furtherance of its programs or services, it should regularly assess the needs of the populations frequently encountered or affected by the program or service to determine whether certain critical outreach materials should be translated.

Community organizations may be helpful in determining what outreach materials may be most helpful to translate. Additionally, the recipient should consider whether translations of outreach material may be more effective when done in tandem with other outreach methods, including the media, schools, faith-based and other community organizations to disseminate information.

Sometimes a document includes both vital and non-vital information, such as when the document is very large. Or it could be when a document stating a phone number for obtaining more information is sent out to the general public and cannot reasonably be translated into many languages. In these cases, Babel Notices explaining that “the document contains important information and should be translated” as well as the number for a corresponding multilingual unit, should one exist, may be sent out with the documents.

B. Languages for Document Translation

Into which languages should documents be translated?

The principal languages spoken by the LEP individuals with whom the recipient has contact determine the languages for translation of vital documents. It is important to distinguish between A languages frequently encountered by a recipient and less commonly-encountered languages. Many recipients serve communities in large cities or across the country or operate web-based, self-service systems as an adjunct to their in-person delivery systems that also have a regional or national reach. They regularly serve LEP populations speaking dozens and sometimes hundreds of different languages. To translate all written materials into all of those languages is unrealistic.

Although recent technological advances have made it easier for recipients to store and share translated documents, such an undertaking would incur significant costs and require substantial resources. Nevertheless, well-founded claims of lack of resources to translate all vital documents into dozens of languages do not necessarily relieve a recipient of the obligation to translate those documents into at least several of the more frequently-encountered languages and to set benchmarks for continued translations into other languages over time. As a result, the extent of a recipient's obligation to provide written translations of documents should be determined case-by-case. Because translation is a one-time expense, consideration should be given to whether the upfront cost of translating a document (as opposed to oral interpretation) should be spread out over the likely lifespan of the document when applying the four-factor analysis. A document's lifespan and the volume of documents requiring translation may also be a factor.

For example, in transaction-based self-service websites, such as labor exchange/job matching, the lifespan of a typical document, such as a job order, may only be 30 days and the volume of such documents may easily number 1,000 or more each day. In such circumstances, depending on the four factors, recipients might consider translating only certain portions of such documents and/or providing information in appropriate languages on how to obtain free language assistance, if the technology allows.

For instance, signs in One-Stop Career Centers could state that free language assistance is available. The signs should be translated into the most common languages encountered. They should explain how to obtain language help. Career Centers will ensure that all employees in public contact positions are properly trained on dealing with LEP clients. Recipients have flexibility in deciding the manner in which the training is provided.

In developing an effective Language Access Plan, the Career Center should also consider including information about the ways language assistance will be provided. For instance, the Career Center may want to include information on:

- Language services available;
- How staff can obtain those services;
- How to respond to LEP callers;
- How to respond to written communications from LEP persons;
- How to respond to LEP individuals who have in-person contact with staff.

In addition to these five elements, effective plans set clear goals, management accountability, and opportunities for community input and planning throughout the process.

3. Identifying LEP Individuals In Need of Language Assistance

Department of Justice Guidance states that these **safe harbor*** guidelines need only apply to the eligible population. However, the estimates provided may overestimate some eligible populations may under-represent others that may be eligible.

The 15 most commonly spoken languages among the LEP population in the Commonwealth according to U.S. Census 2010 are Spanish, Haitian Creole, Italian, Portuguese, Russian, Chinese, Khmer, Vietnamese, French, Arabic, Greek, Polish, Hindi, Korean, and German (see chart page 37).

The following actions will be considered **strong evidence** of compliance with the recipient's written translation obligations:

The failure to provide written translations under the circumstances outlined on the guidelines specified on the table above **does not mean** there is non-compliance. Rather, it's a common starting point for recipients to consider the importance of the service, benefit, or activity involved; the nature of the information sought; and the number or proportion of LEP persons served call for written translations of commonly-used forms into "**frequently-encountered languages**" other than English.


These guidelines merely provide a guide for Career Centers that would like greater certainty of compliance than can be calculated by a fact-intensive, four-factor analysis.

Example: Even if the safe harbors are not used, if written translation of a certain document(s) would be so burdensome as to defeat the legitimate objectives of its program, the translation of the written materials is not necessary. Other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, might be acceptable under such circumstances.

*A "Safe Harbor" means that if a recipient provides written translations under these circumstances, such action will be considered strong evidence of compliance with the recipient's written translation obligations.

A. Population by Safe Harbor Threshold

 Languages Required for UI by Statute, Irrespective of 5% Threshold

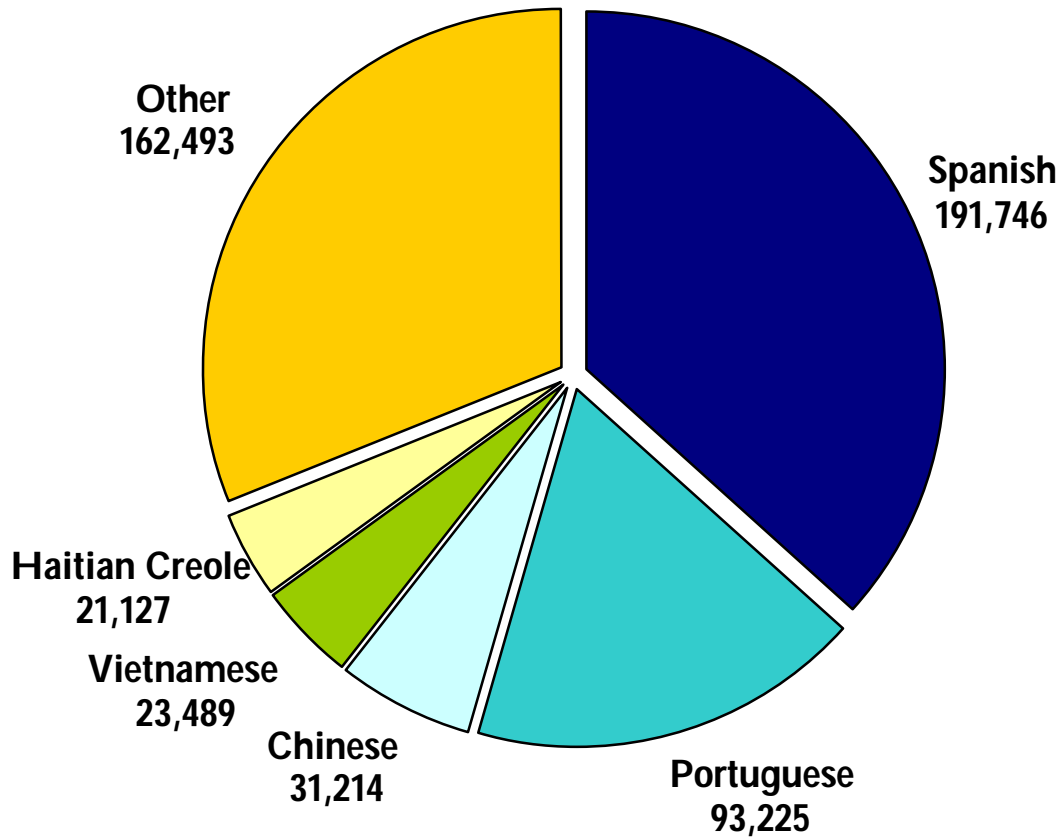
 Populations which meet the Massachusetts State Safe Harbor Threshold

Language	Number of speakers	Speakers as % of total population	Number of total population that Speaks English "very well" and/or "well"	% of total population that speaks English "very well" and/or "well"	Number of total population that speaks English less than "Well" and/or "Not at All" (LEP)	% of total population that speaks English less than "Well" and/or "Not at All" (LEP)
Total pop. 5 & older	6,291,888					
Speak only English	4,892,060	78%				
Spanish	519,521	8.3%	300,517	4.8%	219,004	3.5%
Portuguese	181,251	2.9%	99,331	1.6%	81,920	1.3%
Chinese	113,975	1.8%	54,402	0.9%	59,573	0.9%
French	60,116	1.0%	48,895	0.8%	11,221	0.2%
Haitian Creole	68,262	1.0%	37,655	0.6%	30,607	0.5%
Italian	37,544	0.6%	27,522	0.4%	10,022	0.2%
Russian	36,844	0.6%	21,211	0.3%	15,633	0.2%
Vietnamese	40,245	0.6%	15,460	0.2%	24,785	0.4%
Greek	23,503	0.4%	17,050	0.3%	6,453	0.1%
Arabic	33,466	0.5%	19,740	0.3%	13,726	0.2%
Khmer	23,631	0.4%	11,369	0.2%	12,262	0.2%
Polish	18,013	0.3%	11,773	0.5%	6,240	0.1%
German	17,518	0.3%	15,822	0.3%	1,696	0.0%
Hindi	18,540	0.3%	14,988	0.2%	3,552	0.0%
Korean	16,775	0.3%	9,050	0.1%	7,725	0.1%
Lao	3,199	0.1%	1,490	0.0%	1,709	0.0%

*2010 – 2014 American Community Survey – 5 years and older - Five Year Estimate

B. LEP Data

Most Commonly Spoken Languages in Massachusetts LEP Population*



Total Population 5 Years and Over: 6,087,734
Spoke Only English at Home: 4,841,697
Spoke a Language Other than English at Home: 1,246,037
Limited English Proficient Population (Spoke English Less than 'Very Well'): 523,294

*Source: U.S. Census, American Community Survey, Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over for the United States, April 2010 (Complete data included in virtual handout at masslegalservices.org)

**Fifteen Most Commonly Spoken Languages Other than English in Massachusetts*:
Ranked by Limited English Proficiency (LEP)**
Percentage of Total Population**

Data is organized by percentage of the total **language** population that is Limited English Proficient in order to give a more accurate picture of the language service needs of each group.

Language	Total Speakers	LEP* Population	Percentage LEP/Total
Vietnamese	35,011	23,489	67
Khmer	21,385	11,899	56
Portuguese	183,029	93,210	51
Chinese	62,814	31,214	50
Russian	38,723	18,938	49
Korean	14,316	6,940	48
Spanish	430,185	191,746	45
Haitian Creole	48,400	21,127	44
Polish	23,571	9,517	40
Arabic	23,600	8,683	37
Italian	47,478	14,251	30
Greek	24,793	6,697	27
French	73,303	16,759	23
Hindi	14,574	2,682	18
German	18,344	2,113	12

*Population: Persons 5 years and older who speak a language other than English at home

**LEP defined as “speak English less than very well”

Source: U.S. Census, American Community Survey, Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over for the United States, April 2010 (Complete data included in virtual handout at masslegalservices.org).

**Fifteen Most Commonly Spoken Languages Other than English in Massachusetts*:
Ranked by Total Number of Speakers**

Language	Total Speakers
Spanish	430,185
Portuguese	183,029
French	73,303
Chinese	62,814
Haitian Creole	48,400
Italian	47,478
Russian	38,723
Vietnamese	35,011
Greek	24,793
Arabic	23,600
Polish	23,571
Khmer	21,385
German	18,344
Hindi	14,574
Korean	14,316

*Population: Persons 5 years and older who speak a language other than English at home

Source: U.S. Census, American Community Survey, Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over for the United States, April 2010

C. **Multilingual Information is available** on the Massachusetts Workforce Development System Multilingual Resource page <http://www.mass.gov/massworkforce/resources/multilingual-services/>

The screenshot shows the 'Mass.gov' website for the 'Massachusetts Workforce Development System'. The page is titled 'Multilingual Services' and features a navigation menu with tabs for Finance, Issuances, State Plan, Programs, Training, CCPR, and Resources. The main content area includes a search bar, a description of the office's mission, a list of useful links, and a section for language services. The language services section includes a globe icon, a list of languages, and a 'Click here' button.

Above is a snapshot of the Multilingual Webpage on the Massachusetts Workforce Development System. This page is divided into four tabs:

1. Language Services Guidelines
2. CCS Power Point Presentation in 12 languages
3. Guidelines for American Sign Language Services
4. Multilingual Contact Information

4. Monitoring and Updating the LAP Plan

Recipients should, where appropriate, have a process for determining, on an ongoing basis, whether new documents, programs, services, and activities need to be made accessible for LEP individuals. They may want to provide notice of any changes in services to the LEP public and employees. As well, recipients should consider whether changes in demographics, types of services, or other factors require annual reevaluation of the Language Assistance Plan (LAP). Less frequent reevaluation may be more appropriate where demographics, services, and needs are more static.

One good way to evaluate the LAP is to seek feedback from the community. In their reviews, recipients may want to consider assessing changes in:

- Current LEP populations in service area or population affected/encountered;
- Frequency of encounters with LEP language groups;
- Nature and importance of activities to LEP persons;
- Availability of resources, including technology and sources of additional resources, and the costs imposed;
- Whether existing assistance is meeting the needs of LEP persons;
- Whether staff knows and understands the LAP and how to implement it;
- Legislation or program requirements governing the recipient's program or activity;
- Whether identified sources for assistance are still available and viable;
- Surveying staff on how often they use language assistance services;
- Monitoring the One-Stop Career Center response rate to complaints or suggestions by LEP individuals, community members, and employers regarding language assistance provided;

DCS and Career Center staff may refer to the Reemployment Services Eligibility Assessment (RESEA) Policy and Procedures Handbook page 10 to review the LEP guidelines for that particular program.

The monitoring and review of current policies and the types of language assistance services provided should occur on an annual basis. (See LEP Policy posted on the MassWorkforce System Website, www.mass.gov/massworkforce MassWorkforce Issuance #08-101 Language Services Assistance for Limited English Proficiency Customers, is located at <http://www.mass.gov/massworkforce/issuances/wioa-policy/08-oscc-operations/>)

Please direct any and all questions to Marisa de la Paz, Director of Multilingual Services at 617-626-5471 or mdelapaz@detma.org

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